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PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

6

Application Number

10/810,163

Filing Date

03/26/2004

First Named Inventor

David S. F. Young

Art Unit

1642

Examiner Name

Attorney Docket Number

2056.029

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	McHale & Slavin, P.A.		
Signature	<i>Ferris H. Lander</i>		
Printed name	Ferris H. Lander		
Date	6/27/2005	Reg. No.	43,377

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR : David S. F. Young et al
INVENTION : CANCEROUS DISEASE MODIFYING ANTIBODIES
SERIAL NUMBER : 10/810,163
FILING DATE : March 26, 2004
EXAMINER :
GROUP ART UNIT : 1642
ATTORNEY DOCKET NO. : 2056.029

CERTIFICATE UNDER 37 CFR §1.8(a)
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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 CFR §1.56, the references cited on the accompanying forms PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed. The references were cited in the specification and their relevancy is set forth therein.

Applicants submit that the present invention is patentable over these references.

Date 6/27/2005

Respectfully submitted,

By Ferris H. Lander
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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/810,163
Filing Date	03/26/2004
First Named Inventor	David S. F. Young
Art Unit	1642
Examiner Name	
Attorney Docket Number	2056.029

Sheet 1 of 4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,750,102	05/12/1998	L. Eisenbach et al	
		US- 4,861,581	08/29/1989	A. Epstein et al	
		US- 5,171,665	12/15/1992	I. Hellstrom et al	
		US- 5,484,596	01/16/1996	M. Hanna, Jr., et al	
		US- 5,693,763	12/02/1997	J. Codington et al	
		US- 5,783,186	07/21/1998	T. Arakawa et al	
		US- 5,849,876	12/15/1998	P. Linsley et al	
		US- 5,869,268	02/09/1999	T. Kudo et al	
		US- 5,869,045	02/09/1999	I. Hellstrom et al	
		US- 5,780,033	07/14/1998	V. Torchilin et al	
		US- 6,180,357	01/30/2001	D. Young et al	
		US- 4,172,124	10/23/1979	H. Koprowski et al	
		US- 6,657,048	12/02/2003	D. Young et al	
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FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO95/20401	08/03/1995	Trustees of Boston University		

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				Application Number	10/810,163
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				First Named Inventor	David S. F. Young
				Art Unit	1642
				Examiner Name	
Sheet	2	of	4	Attorney Docket Number	2056.029

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		D. HARRIS et al, "Serotherapy of cancer", Seminars in Oncology, 16(3):180-198 (June, 1989)	
		H. DVORAK et al, "Structure of solid tumors and their vasculature: implications for therapy with monoclonal antibodies", Cancer Cells, 3(3):77-85 (March, 1991)	
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		M. DISIS et al, "HER-2/neu protein: a target for antigen-specific immunotherapy of human cancer", Advances in Cancer Research, 71:343-371 (1997)	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO

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(Use as many sheets as necessary)

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Filing Date	03/26/2004
First Named Inventor	David S. F. Young
Art Unit	1642
Examiner Name	
Attorney Docket Number	2056.029

Sheet

3

of

4

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		A. BEGG et al, "Rapid fluorescence-based assay for radiosensitivity and chemosensitivity testing in mammalian cells in vitro", Cancer Research, 49:565-569 (February, 1989)	
		J. CRUSE et al, Illustrated Dictionary of Immunology, CRC Press, p. 280 (1995)	
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		J. HOROSZEWICZ et al, "Monoclonal antibodies to a new antigenic marker in epithelial prostatic cells and serum of prostatic cancer patients", Anticancer Research, 7:927-936 (1987)	
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		V. KRAVTSOV et al, "Automated monitoring of apoptosis in suspension cell cultures", Laboratory Investigation, 74(2):557-570 (1996)	
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		B. CURTI, "Physical barriers to drug delivery in tumors", Critical Reviews in Oncology/Hematology, 14:29-39 (1993)	
		R. JAIN, "Barriers to drug delivery in solid tumors", Scientific American, 271(1):58-65 (July, 1994)	
		T. GURA, "Systems for identifying new drugs are often faulty", Science, 278:1041-1042 (November, 1997)	

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SignatureDate
Considered

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				Application Number	10/810,163
				Filing Date	03/26/2004
				First Named Inventor	David S. F. Young
				Art Unit	1642
				Examiner Name	
Sheet	4	of	4	Attorney Docket Number	2056.029

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		G. DERMER, "Another anniversary for the war on cancer", Bio/Technology, 12:320 (March, 1994)	
		R. FRESHNEY, "Culture of animal cells", a Manual of Basic Technique, Alan R. Liss, Inc., New York, p. 3 (1983)	
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		K. FOON, "Biological therapy of cancer", Breast Cancer Research & Treatment, 7:5-14 (1986)	

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